NOV US 7005

Docket No. CRD5071

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert Falotico, et al.

Serial No.: 10/805,736 Art Unit: 3763

Filed : March 22, 2004 Examiner: Not yet assigned

For : LOCAL VASCULAR DELIVERY OF PANZEM® IN COMBINATION

WITH RAPAMYCIN TO PREVENT RESTENOSIS FOLLOWING

VASCULAR INJURY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 7, 2005 (Date of Deposit)
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Carl J. Evens (Name of applicant, assignee, or Registered Representative)
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/Carl J. Evens/
(Signature)
November 7, 2005
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action for the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

☐ In ac	ccordance with §1.129(a), this Information
	ement is being filed in connection with \square the
	and After Final Submission, therefore:
	Statement in Accordance with §1.97(e)
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	Please charge Deposit Account No. 10-
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In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

	Statement in Accordance with §1.97(e)
	(attached); or
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	accordance with §1.97(d), this Information
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	l Action under §1.113 or a Notice of Allowance
	but before the payment of the Issue Fee.
Applicant(s)	hereby petition(s) for consideration of this
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Accordance wi	th §1.97(e) as set forth below and the fee of
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	pies of each of the references listed on the
attached Form	PTO-1449 are enclosed herewith.
☐ Cop	pies of references listed on the attached Form PTO-
	osed herewith EXCEPT THAT:
	In view of the voluminous nature of references
	[list as appropriate], and the likelihood that
	these references are available to the Examiner,
	copies are not enclosed herewith.
П	If any of the foregoing publications are not
	available to the Examiner, Applicant will
	endeavor to supply copies at the Examiner's
	request.
	pies of only foreign patent documents and non-
	ature are enclosed in accordance with 37 CFR 1.98
(a)(2).	\cdot

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There are no listed English language.	references which are not in the
The relevance of the not in the English language is	ose listed references which are as follows:
	of search report(s) from on(s), which are listed on the 609 D.
	llowing non-published pending be deemed relevant, which are sion Under MPEP 609 D.
Please charge any deficion Deposit Account No. 10-0750/C	ency or credit any overpayment to RD5071/CJE. This form is
submitted in triplicate.	- well- submitted
	Respectfully submitted,
	/Carl J. Evens/
	Carl J. Evens Reg. No. 33,874 Attorney for Applicants
Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2518 DATED: November 7, 2005	

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SUBMISSION UNDER MPEP 609 D

Page 1 of 1

Application Number	10/805,736
Filing Date	March 22, 2004
First Named Inventor	Robert Falotico
Group Art Unit	3763
Examiner Name	Not yet assigned
Attorney Docket Number	CRD5071

		U.S. PA	TENT DOCUMENTS		
			U.S. Patent Documer	nt	Pages, Columns, Lines,
Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)	where relevant passages or relevant figures appear

FOREIGN PATENT DOCUMENTS Foreign Patent Document Pages, Columns, Lines, where relevant passages or relevant figures Name of Patentee or Cite Examiner Applicant of Cited Document appear Number⁴ KindCode5 Office³ Initials OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS
Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T² Cite No.1 Examiner Initials* European Search Report EP 05 25 1712 dated June 16, 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 2

a Confection of information discoon application	10.0
Application Number	10/805,736
Filing Date	March 22, 2004
First Named Inventor	Robert Falotico
Group Art Unit	3763
Examiner Name	Not yet assigned
Attorney Docket Number	CRD5071

Examiner Initials	Cite	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines,
		Kind Code ² Number (if known)	where relevant passages o relevant figures appear			
		US02/188277	A1	Roorda et al.	12-12-2002	
		US03/060877	A1	Falotico et al.	03-27-2003	
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FOREIGN PATENT DOCUMENTS Date of Publication Pages, Columns, Lines, Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant T⁶ mm-dd-yyyy Examiner Cite Applicant of Cited Document figures appear KindCode5 Initials Number⁴ No.1 11-22-2001 Cordis Corporation Α 01/87372 WO 09-12-2003 Entremed, Inc. 03/073985 Α WO

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10/805,736
March 22, 2004
Robert Falotico
3763
Not yet assigned
CRD5071

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Examiner's	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		MOOBERRY, SUSAN L.: "Mechanism of action of 2-methoxyestradiol: new developments" Drug Resistance Updates, Volume Date 2003, 6 (6), 355-361 Coden: Drupfw; ISSN: 1368-7646, 2004, VD002323130	
		NISHIGAKI, I. ET AL: "Anti-proliferative effect of 2-methoxyestradiol on cultured smooth muscle cells from rabbit aorta" Atherosclerosis (Shannon, Ireland), 113 (2), 167-70 Coden: Athsbl; ISSN: 0021-9150, 1995 XP002332157	

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